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10 Attorneys for Defendant  
11 JIMMY L NEWMAN

12 IN THE UNITED STATES DISTRICT COURT  
13 FOR THE EASTERN DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,  
15 Plaintiff,  
16 vs.  
17 JIMMY L. NEWMAN,  
18 Defendant.

Case No. 5:23-cr-00002-JLT-CDB

**STIPULATION TO MODIFY BRIEFING  
SCHEDULE; ORDER**

19 IT IS HEREBY STIPULATED by and between the parties through their respective  
20 counsel, Assistant United States Attorney Chan Hee Chu, counsel for plaintiff, and Assistant  
Federal Defender Laura Myers, counsel for Jimmy L. Newman, that the Court may modify the  
briefing schedule for Mr. Newman's appeal of a magistrate judge decision.

21 On March 20, 2024, Mr. Newman filed a timely Notice of Appeal. *See* ECF #11. That  
22 same day, the Court issued its standard Briefing Schedule. *See* ECF #13. Under the Briefing  
23 Schedule, Mr. Newman's opening brief is due 21 days after the filing of appropriate transcripts.  
24 The transcript was filed April 15, 2024. *See* ECF #19. Accordingly, his opening brief is currently  
25 due May 6, 2024, and the government's answering brief is due 21 days after the filing of Mr.  
26 Newman's opening brief. *See id.* The Briefing Schedule provided that the dates "may be altered  
27 by the assigned Judge upon application of the parties . . ." ECF #13.

28 On April 23, 2024, this Court modified the Briefing Schedule at the request of the parties

1 as follows: appellant's brief due June 3, 2024; appellee's brief due July 3, 2024; and appellant's  
2 reply brief due July 17, 2024. ECF #21.

3 The parties have conferred and now request that the Court further alter the Briefing  
4 Schedule to enable each party adequate time to review the record and conduct necessary  
5 research. The parties request a new schedule as follows: appellant's brief due June 17, 2024;  
6 appellee's brief due July 17, 2024; and appellant's reply brief due July 31, 2024.

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8 Respectfully submitted,

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10 PHILLIP A. TALBERT  
United States Attorney

11 Date: May 31, 2024

12 /s/ Chan Hee Chu  
CHAN HEE CHU  
Assistant United States Attorney  
Attorney for Plaintiff

13  
14 HEATHER E. WILLIAMS  
Federal Defender

15 Date: May 31, 2024

16 /s/ Laura Myers  
LAURA MYERS  
Assistant Federal Defender  
Attorney for Defendant  
JIMMY L. NEWMAN

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20 **O R D E R**

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22 **IT IS SO ORDERED.** Appellant's brief is due June 17, 2024; Appellee's brief is due  
July 17, 2024; and Appellant's reply brief is due July 31, 2024.

23 IT IS SO ORDERED.

24 Dated: June 3, 2024

25  
26   
27 UNITED STATES DISTRICT JUDGE  
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